

<b>TO:</b> Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22304-1450	<b>REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern Marshall Division on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 2:07-cv-252	DATE FILED 6/18/2007	U.S. DISTRICT COURT Eastern Marshall Division
PLAINTIFF LG ELECTRONICS, INC.		DEFENDANT HITACHI, LTD., FUJITSU HITACHI PLASMA DISPLAY, LED., HITACHI AMERICA LTD., AND HITACHI HOME ELECTRONICS (AMERICA), INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,053,559		
2 7,071,622		
3 7,109,951		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK DAVID J. MALAND, CLERK	(BY) DEPUTY CLERK <i>C. Hinton</i>	DATE 6/18/2007
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

FILED-CLERK  
U.S. DISTRICT COURT  
2007 JUN 18 AM 10:54

TX EASTERN-MARSHALL

LG ELECTRONICS, INC.,

Plaintiff,

v.

HITACHI, LTD., FUJITSU HITACHI  
PLASMA DISPLAY LTD., HITACHI  
AMERICA LTD., and HITACHI HOME  
ELECTRONICS (AMERICA) INC.,

Defendants.

BY \_\_\_\_\_

Civil Case No. **2-07CV-252**

JURY TRIAL DEMANDED

*Tan*

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff LG Electronics, Inc ("LGE") brings this action for patent infringement against Defendants Hitachi, Ltd., Fujitsu Hitachi Plasma Display Ltd., Hitachi America Ltd, and Hitachi Home Electronics (America), Inc. (hereinafter, individually and collectively, "the Hitachi Defendants") and hereby alleges as follows:

**PARTIES**

1. Plaintiff LG Electronics, Inc is a foreign corporation organized and existing under the laws of the Republic of Korea with its principal place of business at LG Twin Towers, 20 Yeouido-dong, Yeoungdeungpo-gu, Seoul, 150-721, South Korea. LGE designs, makes, and sells many different products world-wide for consumer use including personal computers, mobile telephone handsets, DVD recorders and players, washing machines, and, most relevant here, plasma display TVs. LGE is the owner of record of the patents involved in this action

2. On information and belief, Hitachi, Ltd. ("Hitachi") is a foreign corporation organized and existing under the laws of Japan with its principal place of business at 4-6 Kanda-

Surugadai, Chiyoda-ku, Tokyo 101-8010, Japan. Hitachi is a large entity involved in the design, manufacture, use, sale, importation and/or distribution of a wide-range of consumer electronics products including the plasma display products accused of infringement herein

3 On information and belief, Fujitsu Hitachi Plasma Display Ltd ("FHPD") is a foreign corporation organized and existing under the laws of Japan with its principal place of business at 1815 Tajiri, Kunitmoi-cho, Higashimorokata-gun, Miyazaki, Japan. On information and belief, defendant Hitachi is an owner of defendant FHPD. FHPD designs, manufactures, uses, sells, imports, and/or distributes plasma display products accused of infringement herein.

4. On information and belief, Hitachi America Ltd. ("Hitachi America") is a New York corporation with its principal place of business at 2000 Sierra Point Parkway, No. 9, Brisbane, California. Upon information and belief, Hitachi is a direct owner of Hitachi America. Hitachi America designs, manufactures, uses, sells, imports, and/or distributes plasma display products accused of infringement herein.

5 On information and belief, Hitachi Home Electronics (America), Inc. ("Hitachi Home Electronics") is a California corporation with its principal place of business at 900 Hitachi Way, Chula Vista, California. Upon information belief, Hitachi is a direct or indirect owner of Hitachi Electronics. Hitachi Home Electronics designs, manufactures, uses, sells, imports, and/or distributes plasma display products accused of infringement herein

#### **JURISDICTION AND VENUE**

6. This is an action for patent infringement arising under the patent laws of the United States, including 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, including 35 U.S.C. § 271 et seq

7. This Court has personal jurisdiction over the Hitachi Defendants because each does business in Texas and in this judicial district and/or has infringed or caused infringement in Texas and in this judicial district.

8. The Court has personal jurisdiction over the Hitachi Defendants because each has established minimum contacts with the forum and the exercise of jurisdiction over them would not offend traditional notions of fair play and substantial justice. On information and belief, the Hitachi Defendants knowingly and intentionally participate in a stream of commerce between, for example, Japan and the United States with a portion of such stream including sales of plasma display televisions and products (hereinafter the "accused PD products") that embody the system, practice the method, and/or produce the product covered by one or more claims of patents owned by LGE, as asserted in greater detail hereinafter. By way of example, the accused PD products include those ultimately sold and/or offered for sale within this judicial district under the Hitachi brand name such as, for example, plasma display TVs with model No. 55HDS69. In accordance with established distribution channels for the accused products, the Hitachi Defendants reasonably anticipated that accused PD products would end up in this district and be sold therein.

9. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400(b)

#### **THE LGE PATENTS-IN-SUIT**

10. LGE is the owner by assignment of all right, title, and interest in and to United States Patent No. 7,053,559 ("the '559 patent"), entitled "Method and Apparatus for Driving Plasma Display Panel." The '559 patent was duly and legally issued by the United States Patent and Trademark Office ("USPTO") on May 30, 2006

11. LGE is the owner by assignment of all right, title, and interest in and to United States Patent No 7,071,622 ("the '622 patent"), entitled "Plasma Display Panel." The '622 patent was duly and legally issued by the USPTO on July 4, 2006.

12. LGE is the owner by assignment of all right, title, and interest in and to United States Patent No 7,109,951 ("the '951 patent"), entitled "Method and Apparatus for Driving Plasma Display Panel." The '951 patent was duly and legally issued by the USPTO on September 19, 2006.

### **COUNT 1 – INFRINGEMENT OF THE '559 PATENT**

13 LGE realleges and incorporates herein by reference the allegations in paragraphs 1-12 above

14 The Hitachi Defendants are directly infringing, contributing to the infringement of, or inducing others to infringe the '559 patent by, for example, making, using, offering to sell, or selling the accused PD products within, or importing the accused PD products into, the United States, or inducing others to make, use, offer to sell, or sell the accused PD products within, or import the accused PD products into, the United States.

15. As a result of the Hitachi Defendants' unlawful infringement of the '559 patent, LGE has suffered and will continue to suffer damage. LGE entitled to recover damages adequate to compensate for that infringement

16. The Hitachi Defendants' acts of infringement herein have been made with full knowledge of LGE's rights in the '559 patent. Such acts constitute willful and deliberate infringement, entitling LGE to enhanced damages and reasonable attorney fees.

17 The Hitachi Defendants' acts of infringement have caused and will continue to cause irreparable injury to LGE unless and until enjoined by this Court

## **COUNT 2 – INFRINGEMENT OF THE '622 PATENT**

18. LGE realleges and incorporates herein by reference the allegations in paragraphs 1-17 above

19 The Hitachi Defendants are directly infringing, contributing to the infringement of, or inducing others to infringe the '622 patent by, for example, making, using, offering to sell, or selling the accused PD products within, or importing the accused PD products into, the United States, or inducing others to make, use, offer to sell, or sell the accused PD products within, or import the accused PD products into, the United States.

20 As a result of the Hitachi Defendants' unlawful infringement of the '622 patent, LGE has suffered and will continue to suffer damage LGE entitled to recover damages adequate to compensate for that infringement

21 The Hitachi Defendants' acts of infringement herein have been made with full knowledge of LGE's rights in the '622 patent Such acts constitute willful and deliberate infringement, entitling LGE to enhanced damages and reasonable attorney fees.

22. The Hitachi Defendants' acts of infringement have caused and will continue to cause irreparable injury to LGE unless and until enjoined by this Court.

## **COUNT 3 – INFRINGEMENT OF THE '951 PATENT**

23 LGE realleges and incorporates herein by reference the allegations in paragraphs 1-22 above.

24 The Hitachi Defendants are directly infringing, contributing to the infringement of, or inducing others to infringe the '951 patent by, for example, making, using, offering to sell, or selling the accused PD products within, or importing the accused PD products into, the United

States, or inducing others to make, use, offer to sell, or sell the accused PD products within, or import the accused PD products into, the United States

25. As a result of the Hitachi Defendants' unlawful infringement of the '951 patent, LGE has suffered and will continue to suffer damage LGE entitled to recover damages adequate to compensate for that infringement

26 The Hitachi Defendants' acts of infringement herein have been made with full knowledge of LGE's rights in the '951 patent Such acts constitute willful and deliberate infringement, entitling LGE to enhanced damages and reasonable attorney fees

27 The Hitachi Defendants' acts of infringement have caused and will continue to cause irreparable injury to LGE unless and until enjoined by this Court

#### **JURY DEMAND**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff LGE demands a jury trial on all issues so triable

### **PRAYER FOR RELIEF**

Wherefore, LGE prays that this Court:

- (1) Enter judgment that the Hitachi Defendants have infringed the '559, '622, and '951 patents;
- (2) Permanently enjoin the Hitachi Defendants and their officers, agents, employees, representatives, successors and assigns, and any others acting in concert with them, from infringing the '559, '622, and '951 patents;
- (3) Award LGE damages resulting from the Hitachi Defendants' infringement adequate to compensate for that infringement, including pre- and post-judgment interest as allows by law;
- (4) Award LGE treble damages as a result of Hitachi's willful infringement;
- (5) Award LGE its costs in this action, declare that this case is an exceptional one under 35 U.S.C. § 285, and award LGE its reasonable attorney's fees; and
- (6) Award LGE such further, necessary and proper relief as this Court may deem just and reasonable



Dated: June 18, 2007

Respectfully submitted,

By: 

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